GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration and Stamps – Surprise check conducted by ACB over the Office of Joint Sub Registrar, Gudur-1, SPSR Nellore District on 29-07-2015 – Allegation of corruption & criminal misconduct - Initiation of Disciplinary Proceedings against Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now retired) under Rule 20 of APCS (CCA) Rules, 1991 – Articles of Charges - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.375 **Dated:20-03-2020**
Read the following:-

1. From DG, ACB, Vijayawada Lr.Rc.No.130/RCO-NNL/2015, dt.21-2-2020.
2. G.O.Ms.No.87, Revenue (Vig.II) Department, Dated:20-03-2020.
3. G.O.Ms.No.88, Revenue (Vig.II) Department, Dated:20-03-2020.

&

O R D E R :

In continuation of orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 in the reference 2nd read above, and sanction accorded under Rule 9 of AP Revised Pension Rules, 1980 vide reference 3rd read above, it is considered necessary to hold an enquiry against Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now Retired) in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now Retired) is directed to submit within ten days of the receipt of this Order a written statement of his defence.

4. Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now Retired) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now Retired) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (now Retired) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Contd.,2

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri Ratakonda Subbarayudu, Joint Sub Registrar-I, Gudur, SPSR Nellore District (Enclosed Annexures I to IV) through the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada.(with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to:
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat Building No.5, Velagapudi.
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.
The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.
The Deputy Inspector General, Registration & Stamps, SPSR Nellore District.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI RATAKONDA SUBBARAYUDU, S/O.CHINNAIAH JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT (NOW RETIRED).

That Sri Ratakonda Subba Rayudu, S/o Chinnaiah, joined in Government Service as Typist at the O/o RO, Nellore on 30.04.1982. He is a native of Chuttuguntapalli village, Ananthasagaram Mandal, SPSR Nellore District. On 18.06.1991 he promoted as a Senior Assistant and continued in the same office i.e., RO, Nellore. On transfer from RO, Nellore he joined in the Office of SRO, Kavali on 02.06.1993 as Senior Assistant. On transfer from SRO office, Kavali he joined in the office of SRO, Gudur as Senior Assistant on 17.06.1996. On transfer from SRO office, Gudur he joined in the office of SRO, Nellore Joint-1 as Senior Assistant on 21.10.1999. Subsequently he promoted as SRO Gr-II and posted to C & IG Office, Andhra Pradesh, Hyderabad on 09.10.2000. On transfer from C & IG Office, Hyderabad he joined as SRO Grade-II, Sullurpet on 08.03.2001. On transfer from the office of SRO, Sullurpet he joined as Gr-II SRO, Buchireddypalem on 05.09.2003. On transfer from the office of SRO, Buchireddypalem he joined as GrII, SRO, Kavali in the year, 2006. On transfer from the office of SRO, Kavali he joined as Superintendent at the O/o DIG, Nellore On transfer from the office of DIG, Nellore he joined as SRO, Kavali on 12.08.2013. Finally he transferred to the office of SRO Joint-I, Gudur on 01.03.2014 and continued there itself up to his retirement. He is drawing basic pay of Rs. 31,550/- (Rs.16,150/- - Rs.42,590/-). He was retired from service on 30.09.2018 on superannuation. Here-in-after he is referred to as "Government Servant".

CHARGE :

Basing on the surprise check conducted in the office of Joint Sub Registrar Gudur-1 in the presence of the mediators on 29.7.2015 from 16.45 hrs to 23.00 hours. It was noticed that while Sri Ratakonda Subba Rayudu working as Joint Sub Registrar-I showed official favour for registration of the documents by abusing his official position collected illegal amounts in order to register the documents without any queries and directed the document writer by name B.Venkata Ratnamachari to collect the said Fee to Fee amounts from the persons who came for registration of the documents and in total an unaccounted amount of Rs.1,92,000/- was seized from the possession of the said document writer which was collected by him to pay the same to the Government servant and also to Sri.Gorojanam Venkateswarlu, S/o Venkaiah, Joint Sub Registrar-II, Gudur equally.

An unaccounted amount of Rs.7,000/- was found during the searches by the DSP and the other members near the inverter batteries of the office, an amount of Rs.40,000/- was found with the document writer B.V. Ramanachari and Rs.1,45,000/- was found from the office shop of document writer and total Rs.1,92,000/- unaccounted amount was seized and the Government servant failed to account for the same with proper explanation.

By the above said acts you have exhibited lack of integrity, devotion to duty which is unbecoming on the part of a Government servant and thereby you have contravened the Rule under 3(1)(2) of Andhra Pradesh Civil Services Conduct Rules 1964 r/w Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 as Government Servant was retired on 30.9.2018.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI RATAKONDA SUBBARAYUDU, S/O CHINNAIAH JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT (NOW RETIRED).

That Sri Ratakonda Subba Rayudu, S/o Chinnaiah, age: 60 years, joined in Government Service as Typist at the O/o RO, Nellore on 30.04.1982. He is a native of Chuttuguntapalli village, Ananthasagaram Mandal, SPSR Nellore District. On 18.06.1991 he promoted as a Senior Assistant and continued in the same office i.e., RO, Nellore. On transfer from RO, Nellore he joined in the Office of SRO, Kavali on 02.06.1993 as Senior Assistant. On transfer from SRO office, Kavali he joined in the office of SRO, Gudur as Senior Assistant on 17.06.1996. On transfer from SRO office, Gudur he joined in the office of SRO, Nellore Joint-1 as Senior Assistant on 21.10.1999. Subsequently he promoted as SRO Gr-II and posted to C&IG Office, Andhra Pradesh, Hyderabad on 09.10.2000. On transfer from C&IG Office, Hyderabad he joined as SRO Grade-II, Sullurpet on 08.03.2001. On transfer from the office of SRO, Sullurpet he joined as Grade-II SRO, Buchireddypalem on 05.09.2003. On transfer from the office of SRO, Buchireddypalem he joined as Grade-II, SRO, Kavali in the year, 2006. On transfer from the office of SRO, Kavali he joined as Superintendent at the O/o DIG, Nellore. On transfer from the office of DIG, Nellore he joined as SRO, Kavali on 12.08.2013. Finally he transferred to the office of SRO Joint-I, Gudur on 01.03.2014 and continued there itself up to his retirement. He is drawing basic pay of Rs.31,550/-(Rs.16,150/- - Rs.42,590/-). He was retired from service on 30.09.2018 on superannuation. Here-in-after he is referred to as "Government Servant".

CHARGE :

Basing on the surprise check conducted in the office of Joint Sub Registrar Gudur-1 in the presence of the mediators on 29.7.2015 from 16.45 hrs to 23.00 hours. It was noticed that while Sri Ratakonda Subba Rayudu working as Joint Sub Registrar-I showed official favour for registration of the documents by abusing his official position collected illegal amounts in order to register the documents without any queries and directed the document writer by name B.Venkata Ratnamachari to collect the said Fee to Fee amounts from the persons who came for registration of the documents and in total an unaccounted amount of Rs.1,85,000/- was seized from the possession of the said document writer which was collected by him to pay the same to the Government servant and also to Sri Gorojanam Venkateswarlu, S/o Venkaiah, Joint Sub Registrar-II, Gudur equally.

An unaccounted amount of Rs.7,000/- was found during the searches by the DSP and the other members near the inverter batteries of the office and an amount of Rs.40,000/- was found from document writer and amount of Rs.1,45,000/- was in the shop of document writer, total Rs.1,92,000/- unaccounted amount seized and the Government servant failed to account for the same with proper explanation.

By the above said acts you have exhibited lack of integrity, devotion to duty which is unbecoming on the part of a Government servant and thereby you have contravened the Rule under 3(1)(2) of Andhra Pradesh Civil Services (Conduct) Rules 1964 r/w Rule 9 of AP Revised Pension Rules, 1980 as the Government Servant was retired on 30.9.2018.

Facts and Evidence:

Basing on credible information the Deputy Superintendent of Police along with team members visited the sub registrar office Gudur and found 5 to 6 person moving from the private offices of document writers moving to the Sub Register Office carrying documents in their hands and discussing that

Contd.,2

the Sub-register office authorities are collecting mamools for the registration of the documents. At about 4.40 PM the Deputy Superintendent of Police and other members entered into the office premises and on seeing them some of the persons who are available in the main hall and Varandah of the office tried to run away and the same was prevented. They were six in number it was observed that one person was sitting in the chair of joint Registrar at the entrance and another person was sitting in another chair of joint registrar and their identity was ascertained as the Government servant and G.Venkateswarlu, Joint Sub Registrar-II. Apart from the Government servants I & II the three other persons are B.Venkataratnamachari, Document Writer, P.Penchalaprasad, Challan Writer, M.Prasad, Document Writer and Shaik Yusaf Hussain another Document Writer. The Deputy Superintendent of Police searched the three document writers and challana writer referred above and their possession, an amount of Rs.40,000/- was seized from B.V. Ratnamachari, Rs.100/- from P.Penchalaprasad, Rs.75/- from Munaga Prasad and Rs.50/- from Shaik Yusaf Hussain. On satisfaction the amounts of Rs.100/-, Rs.75/- and Rs.50/- was returned to the respective persons and the amount of Rs.40,000/- was seized from the possession of B.V.Ratnamachari as he voluntarily stated that he collected the said amount on the instructions of both the Registrars as Fee to Fee from the persons who came for registration of the documents. Further the said B.V.Ratnamachari also stated that an amount of Rs.1,00,000/-, Rs.45,000/- was also kept by him in his shop which was collected by him from the persons who came for registration of the documents in the form of Fee to Fee to be paid to the both Joint Registrars. The shop of the said B.V.Ratnamachari was also verified and the DSP noticed an amount of Rs.3,25,000/- in total and verified the challans obtained in the names of various persons and came to conclusion that the said Ratnamachari possessed Rs.1,50,000/- and out of it Rs.5,000/- is his personal amount and by excluding the same the unaccounted amount of Rs.1,45,000/- was seized under the cover of mediatornama. Later explanation was called for by the department from the document writer B.V.Ratnamachari who stated in his explanation that he collected the amount of Rs.1,45,000/- from Sadhana Kishore for registration of five documents. During the course of Surprise Check no such documents were found prepared by the said document writer and as such the explanation of the said B.V.Ratnamachari was not taken into consideration and the investigation revealed that the said amount was collected by the said B.V.Ratnamachari from the persons who came for registration as Fee to Fee to be paid to the Government Servants I and Sri G.Venkateswarlu, Joint Sub-Registrar-II.

So far as Rs.40,000/- is concerned the document writer B.V. Ratnamachari admitted the seizure of the amount from his possession. The DSP also examined Smt. Tiruveedhi Prasanthi who is one of the vendee came to the office for registration of the document categorically stated that she came the office of Sub Registrar Office, Gudur for registration of the house site and she contacted Ratnamachari who informed that for registration of the document and expenses she has to pay Rs.29,500/- and accordingly she paid the amount. As per the particulars of the document bearing no.2253/2015 dt.29.07.2015 the total expenditure for getting registration of the document is only Rs.22,650/- and whereas the document writer B.V.Ratnamachari collected Rs.29,500/- i.e. an excess amount of Rs.6,850/-. The DSP also secured the presence of Mosuru Murali who also came to the office for the purpose of registration who also stated that he has paid excess amount to the document writer B.V.Ratnamachari for registration of the document which has to be in turn paid to the Government servant and the Joint Sub registrar-II for not putting any queries for registering the document. Another witness Pulakanti Suresh was also secured who affirmed the said fact. The Deputy Superintendent of Police also secured Smt.T.Sujatha who came for registration of the document who stated that the said B.V.Ratnamachari

Contd.,3

collected Rs.58,000/- for the purpose of registration and expenses. The document relating to the said Sujatha vide document no.2268/2015 dt.29.07.2015 was perused and it shows that the total amount only Rs.66,190/- and whereas the document writer collected excess amount of Rs.18,810/-. On the day of Surprise Check it was noticed that documents bearing nos.2253, 2255, 2256, 2261, 2266, 2267, 2268, 2274, 2275/2015 were also registered in the said office but the persons connected to the documents were not available. So their statements could not be recorded by the Deputy Superintendent of Police. The examination of the witnesses by the Deputy Superintendent of Police amply prove that the Government servant and also the Joint Sub Registrar-II in connivance with the document writer B.V.Ratnamachari extracting amounts in the form of Fee to Fee from the persons who came for registration of the documents by taking their official position and they have abused their official position and tried to grab the amounts available with the document writer B.V.Ratnamachari.

During the inspection of the surprise check party, found an amount of Rs.7,000/- near the inverter batteries of the office and when they questioned about the amount neither the Government servant nor the Joint Sub Registrar-II claimed the said amount. The office staff also pleaded ignorance about the availability of the amount that was kept secretly. The Government servant and the Joint Sub Registrar-II are having control over the premises of the said office and it is deemed that without their knowledge nobody will dare enough to place such amount in the office premises and as per the situation and conditions prevailing at the time of surprise check it was established that only on the instructions of the Government servant and Joint Sub Registrar-II the amount was kept in the secret place with an intention to share the amount jointly at subsequent point of time. The explanation of the Government servant and the Joint Sub Registrar-II was not upto the mark with regard to the above allegations and as such the Government Servant has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant.

Therefore the Government servant Sri Ratakonda Subbarayudu, S/o.Chinnaiah, Joint Sub Registrar-I, Registrar Office, Gudur by his above mentioned acts contravened the provisions of Rule 3(1)(2) of Andhra Pradesh Civil Services Conduct Rules 1964 r/w Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 as the Government Servant was retired on 30.9.2018. Hence, the allegation against him was substantiated.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI RATAKONDA SUBBARAYUDU, S/O CHINNAIAH JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT (NOW RETIRED).

1. Service Particulars and job chart of charged officer Sri R.Subbarayuldu, Joint Sub-Registrar-1, Gudur, SPSR Nellore district.
2. Original Surprise check Proceedings in C.No.3/SC-ACB-NLR/2015 drafted at the office of the Sub-Registrar, Gudur, SPSR Nellore District.

   It proves that an amount of Rs.40,000/- was found with the Document Writer to be intended for giving part payment of 10 documents fees to fees collection amount to the SRO officials. An amount of Rs.7,000/- was found at the batteries just side of the SRO cabin which proves that the amount was belongs to the SRO officials.
3. Original Mediators report proceedings in C.No.3/SC-ACB-NLR/2015 drafted at the shop named as Sri Veera Brahmendra Consultancy of the Document Writer Sri Budidavaka Venkata Ratnamachari, Gudur, SPSR Nellore District.

   It proves that an amount of Rs.1,45,000/- was found with the Document Writer at his private office, to be intended for giving remaining amount of 10 documents fees to fees collection amount to the SRO officials.
4. Staff Attendance Register of 0/o Joint Sub Registrar, Gudur, SPSR Nellore District - Containing 98 Sheets:-

   It is maintained from January, 2015 and till the date of surprise check i.e. on 29.07.2015. Page Nos. 1 to 16 are written and remaining are unwritten. It proves that the Joint Sub-Registrars 1 and 2 were present in the office who put their initials at their respective columns.
5. Out Sourcing Staff Attendance Register of O/o. Joint Sub Registrar, Gudur, SPSR Nellore District - Containing 98 Pages:-

   It is maintained from January, 2015 and till the date of surprise check i.e. on 29.07.2015. Page Nos. 1 to 16 are written and remaining are unwritten.
6. A small hand written slip mentioned the date as 29.07.2015 and doc nos from SI.No.1 to 10 - 1 Sheet.

   It revealed that it was written 10 document numbers which were given by the document writer (A-3) to the SRO officials. Out of 10 documents 9 documents are completed registration and one document was put in pending.
7. Electrical service connection bill vide UNC.No. 3111301023291 which is an amount of Rs.669/- and receipt of E-Seva for the payment of monthly electrical bill, both held in the name of B Venkata Ratnamachari - 02 Sheets.

   It revealed that the document writer (A-3) private shop (Sri Veera Brahmendra Consultancy) monthly electricity bill receipt paid at E.Seva in his name.
8. Circular Memo No.X2110708/94 dated: 30.12.1997 of the Commissioner and IG of Registration and Stamps, A.P., Hyderabad.

   It was communicated through the circular memo that, during the surprise checks if any unaccounted cash is found with the unauthorized persons in the office, it will be presumed that the said amount is illegal amount obtained as bribe from the parties.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI RATAKONDA SUBBARAYUDU, S/O CHINNAIAH JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT (NOW RETIRED).

1. Sri Kalluru Thirupati Vasu, S/o. Penchalaiah, Age: 35 Years, Asst. Executive Engineer, Somasila Swarna Mukhi Link Canal & Swarna mukhi Barrage (SSLC & SB) Circle, Nellore. Cell: 9440907497 (mediator)
2. Sri Cheemaladinne Venkateswarlu, S/o. Sudhakar, Typist, Somasila Swarna mukhi Link Canal & Swarna Mukhi Barrage (SSLC & SB) Circle, Nellore. Cell: 9491236376 (Mediator).
3. Sri Budidavaka Venkata Ratnamachari, S/o. Krishnamachari, Age: 38 years, Prof: Document Writer R/o: Veerampalli (V&P), Manubolu(M), SPSR Nellore District cell: 9705431079.
4. Sri P. Pechala Prasad, s/o Pedda Penchalaiah, age: 26 years, Prof: Challans Writer, Akkampet village, Manubolu Mandal, SPSR Nelore District. Cell No: 9040281040.
5. Sri Mungara Prasad, s/o Ramaiah, age: 55 years, Caste: Bestha, East Street, Chennur village, Gudur Mandal, SPSR Nellore District. Cell No: 9885834711.
6. Sri Shaik Yousuf ussain, S/o Late Mohd Hussain, age 35 years, Prof: Document Writer, D.No: 4-75-1, Mask Street, Gudur, SPSR Nellore district. Cell No: 9052706411.
7. Smt. Thiruveedhi Prashanthi W/o Syamasundara Rao, Age: 41 Years,D.No.13/182 Sankar Reddy Street, Gudur, SPSR Nellore District.
8. Smt. Puduguri Sujatha W/o karunakar, Age: 38 Years, D.No.13/97, Raja Street, Gudur, SPSR Nellore District.
9. Sri Orsu Murali S/o Mastanaiah, Age: 26 Years, caste: Vadde, R/o: Pudiparthi (V&P), Venkatachalam(M), SPSR Nellore District cell: 9676983080.
10. Sri Pulakanti Suresh, S/o. Mastanaiah, Age: 27 Years, Occ: Tapi Mestri, R/o: Patimitta, Edagali (V&P), Venkatachalam(M),SPSR Nellore District, cell: 9440926956.
11. Sri Valluri Siva Reddy S/o. Erukula Reddy, Age: 58 Years, Penuballi(V), Buchireddypalem(M), SPSR Nellore District.
12. Pallamreddy Har Prasad Reddy, s/o Raghurami Reddy, age: 41 years, r/o D.No: 7217, Bujabuja Nellore village, Nellore Rural Mandal, SPSR Nellore District (Claimant/ Vendee).
13. Sri N. Siva Kumar Reddy, Inspector, ACB, Nellore Range, Nellore.
14. Sri T. Pratap Kumar, Inspector, ACB, Ongole, Prakasam District.
15. Sri R.V.S.N.Murthy, then DSP., ACB, Ongole, Prakasam district, Incharge of Nellore Range, Nellore.
16. Sri T. Prabakar, the then DSP, ACB, Nellore Range, Nellore
17. Sri P. Parameswara Reddy, the then DSP, ACB,Nellore Range, Nellore.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER